



General Assembly

February Session, 2000

Amendment

LCO No. 3141

Offered by:

REP. MILLER, 122nd Dist.

To: House Bill No. 5583

File No. 143

Cal. No. 152

"An Act Minimizing Air Emissions At Power Plants."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (a) Not later than May 1, 2002, the Commissioner
4 of Environmental Protection shall adopt regulations in accordance
5 with chapter 54 of the general statutes except as provided in subsection
6 (c) of this section, to require every emissions unit located in this state
7 that (1) generates electricity, (2) was built prior to 1977, (3) has a
8 nameplate capacity greater than twenty-five megawatts, and (4)
9 generates electricity for wholesale or retail sale through the
10 combustion of fossil fuels, to comply not later than May 1, 2003, with
11 emission limitations regarding the rate of emission of nitrogen oxides
12 and sulfur oxides. Such regulations shall (A) prescribe the rate of
13 emissions for nitrogen oxides to be not greater than fifteen one-
14 hundredths pounds per million British thermal units of heat input, and
15 (B) set a fuel sulfur limit of not greater than one-half of one per cent by
16 weight, dry basis. Such requirements shall be met year-round by each
17 such emissions unit and shall provide for the use of market-based

18 incentives, including emission reduction credits.

19 (b) The commissioner may extend the regulations adopted pursuant
20 to subsection (a) of this section to every major stationary source of
21 nitrogen oxides and every commercial and industrial user of fuel
22 located in this state.

23 (c) Notwithstanding the provisions of section 4-168(a) of the general
24 statutes and any regulation adopted by the commissioner, prior to
25 adopting a proposed regulation required under subsection (a) of this
26 section, the commissioner shall (1) give at least thirty days notice by
27 publication in the Connecticut Law Journal of the intended action.
28 Such notice shall meet the requirements set forth in subdivision (1) of
29 subsection (a) of section 4-168 of the general statutes, (2) give notice by
30 mail to each joint standing committee of the General Assembly having
31 cognizance of the subject matter of the proposed regulation, (3) give
32 notice by mail to all persons who have made requests to the
33 Department of Environmental Protection for advance notice of its
34 regulation-making proceedings, (4) provide a copy of the proposed
35 regulation to persons requesting it, (5) following publication of the
36 notice in the Connecticut Law Journal, prepare a fiscal note. Such
37 fiscal note shall meet the requirements set forth in subdivision (5) of
38 subsection (a) of section 4-168 of the general statutes, (6) afford all
39 interested persons reasonable opportunity to submit data, views or
40 arguments in writing and to inspect and copy the fiscal note prepared
41 pursuant to subdivision (5) of this subsection, and (7) consider fully all
42 written submissions concerning the proposed regulation and fiscal
43 note.

44 (d) The commissioner may suspend the fuel sulfur requirements set
45 forth in regulations adopted pursuant to subsection (a) of this act upon
46 making a finding that the availability of fuel that complies with such
47 requirements is inadequate to meet the needs of commercial or
48 industrial fuel users in this state and that such inadequate supply
49 constitutes an emergency. The commissioner shall specify in writing
50 the period of time such suspension shall be in effect.

51 Sec. 2. This act shall take effect from its passage."